

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA
WHEELING**

MARK MCEVOY, et al.,

Plaintiffs,

v.

**DIVERSIFIED ENERGY COMPANY
PLC, et al.,**

Defendants.

**CIVIL ACTION NO.: 5:22CV171
(BAILEY)**

ORDER VACATING DEADLINES AND CANCELLING HEARING

Currently pending before the Court on referral from the District Court is Diversified Defendants' Motion [188] to Compel, filed March 21, 2023. On April 4, 2023, Diversified Defendants filed a Notice [205] of Withdrawal of said Motion. In their Notice, Diversified Defendants state that they are withdrawing the Motion [188] to Compel without prejudice to refiling at a later date.

Accordingly, Diversified Defendants' Notice [205] is **GRANTED**. ECF No. 188 is **WITHDRAWN WITHOUT PREJUDICE**, and the Court's Order [197] Setting Deadlines and Oral Argument/Evidentiary Hearing is **VACATED**. The Oral Argument/Evidentiary Hearing currently set for April 13, 2023, is **CANCELLED**.

It is so **ORDERED**.

The Court **DIRECTS** the Clerk of the Court to serve a copy of this Order upon any *pro se* party by certified mail, return receipt requested, and upon counsel of record herein.

Dated: 4/5/2023

/s/ James P. Mazzone

JAMES P. MAZZONE
UNITED STATES MAGISTRATE JUDGE